



**PATENTS**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:** CEFALI, EUGENIO  
**Serial No.:** 08/960,577  
**Filing Date:** 13 October 1997  
**Docket Number:** 50454-56103USCIP  
**Title:** METHODS FOR TREATING HYPERLIPIDEMIA WITH  
INTERMEDIATE RELEASE NICOTINIC ACID COMPOSITIONS  
HAVING UNIQUE BIOPHARMACEUTICAL CHARACTERISTICS

**COMMISSIONER FOR PATENTS**

P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF ISSUE FEE**

**MAIL STOP ISSUE FEE**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

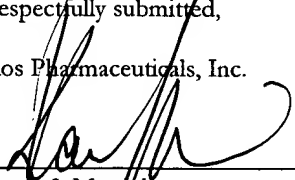
Dear Sir:

Enclosed herewith for filing in the above-identified application is an Issue Fee Transmittal Form PTOL-85 that was mailed on 27 January 2004. As the assignee no longer qualifies for Small Entity Status, a Withdrawal of Small Entity Status is also enclosed herewith. Therefore, please charge the requisite fee of \$1330.00 to our Deposit Account 50-2543.

No additional fees are believed to be due in connection with this letter. However, please charge any additional costs or credit any overpayment to our Deposit Account No. 50-2543.

Respectfully submitted,

Kos Pharmaceuticals, Inc.

  
Karen J. Messick  
Attorney for Applicants  
Registration No. 46,256

Kos Pharmaceuticals, Inc.  
1001 Brickell Bay Drive  
25<sup>th</sup> Floor  
Miami, FL 33131

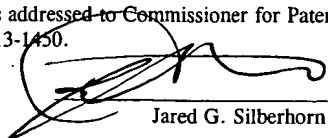
Phone: 305.523.3643  
Fax: 305.377.4076

Date: 4/27/04

**CERTIFICATION UNDER 37 C.F.R., §1.10**

I hereby certify that the attached papers are being deposited with the United States Postal service as: "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on 27 April 2004 and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ER 593 968 481 US  
Express Mail Label Number

  
Jared G. Silberhorn



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:	CEFALI, EUGENIO
Serial No.:	08/960,577
Filing Date:	13 October 1997
Docket Number:	50454-56103USCIP
Title:	METHODS FOR TREATING HYPERLIPIDEMIA WITH INTERMEDIATE RELEASE NICOTINIC ACID COMPOSITIONS HAVING UNIQUE BIOPHARMACEUTICAL CHARACTERISTICS

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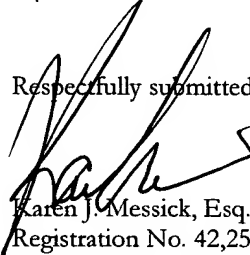
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Sir:

**WITHDRAWAL OF SMALL ENTITY STATUS**

Pursuant to 37 C.F.R. § 1.27(g)(2), Kos Pharmaceuticals Inc., the assignee in the above-identified application, hereby notifies the United States Patent and Trademark Office that assignee's status has changed and Small Entity status is no longer applicable.

Respectfully submitted,

  
Karen J. Messick, Esq.  
Registration No. 42,256  
Attorney for Applicants

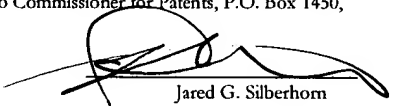
KOS PHARMACEUTICALS, INC.,  
1001 Brickell Bay Drive  
25<sup>th</sup> Floor  
Miami, Florida 33131  
Tel: (305) 523-3643  
Fax: (305) 377-4076

Date: 4/27/04

**CERTIFICATION UNDER 37 C.F.R. §1.10**

I hereby certify that the attached papers are being deposited with the United States Postal service as: "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on 27 April 2004 and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Jared G. Silberhorn



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eugenio Cefali, et al.  
Serial No.: 08/960,557  
Filing Date: 31 October 1997  
Docket Number: 50454-56103USCIP  
Title: METHODS FOR TREATING HYPERLIPIDEMIA WITH  
INTERMEDIATE RELEASE NICOTINIC ACID COMPOSITIONS  
HAVING UNIQUE BIOPHARMACEUTICAL CHARACTERISTICS  
Art Unit: 1615  
Examiner: J.M. Spear

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TRANSMITTAL LETTER**

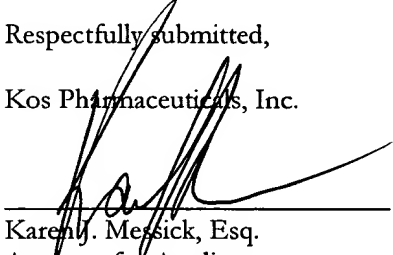
Enclosed for filing in the above-identified patent application are the following documents:

1. Amendment under 37 CFR §1.312, as recommended by the Examiner;
2. Issue Fee payment and Issue Fee Transmittal letter;
3. Withdrawal of Small Entity Status; and
3. Return Postcard.

If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

Kos Pharmaceuticals, Inc.

  
Karen J. Messick, Esq.  
Attorney for Applicants  
Reg. No. 46,256

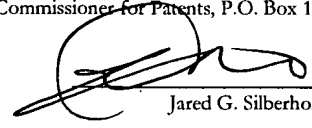
Kos Pharmaceuticals, Inc.  
1001 Brickell Bay Drive  
25<sup>th</sup> Floor  
Miami, Florida 33131  
Tel.: (305) 523.3643  
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Jared G. Silberhorn